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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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11 ULTRATECH, INC.,

No. C 03-03235 CRB

12 Plaintiff,

**ORDER**

13 v.

14 TAMARACK SCIENTIFIC CO.,

15 Defendant.  
16 \_\_\_\_\_/

17 Now pending before the Court are the parties' motions for summary judgment  
18 regarding defendant Tamarack's invalidity affirmative defenses. The hearing on Friday, May  
19 6, 2005 is VACATED. The parties should be prepared, however, to attend oral argument on  
20 Friday, May 13, 2005 if necessary. The Court will advise the parties by Wednesday, May 11,  
21 2005 if there will be oral argument on the 13th and, if so, what questions the Court would  
22 like addressed at the hearing.

23 **IT IS SO ORDERED.**

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25 Dated: May 4, 2005

\_\_\_\_\_/s/  
CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE

**United States District Court**

For the Northern District of California

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